

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE MUNICIPALITY OF SAN JUAN,
PUERTO RICO,

Plaintiff,

v.

EXXON MOBIL CORP., et al.,

Defendants.

Civ. No. 23-1608 (ADC)

ORDER

On March 31 and April 3, 2025, the Court issued a series of orders related to replies to be filed by the defendants in the above-captioned case in relation to several pending motions to dismiss. *See* **ECF Nos. 157-163**. On April 21, 2025, the defendants filed a joint motion requesting leave to file several replies in excess of page limits and for an extension of time to do so. **ECF No. 179** (“Motion”).¹ The defendants’ varying requests for relief included in the Motion are addressed below in groups:

“Domestic Defendants”:

Chevron Corp., ConocoPhillips Co., Exxon Mobil Corp., Motiva Enterprises LLC, and Occidental Petroleum Corp.

In the Motion, Domestic Defendants request leave to file individual replies in support of their *individually-filed* motions at **ECF Nos. 28, 32, 36, 37, and 39**, but also request leave to file

¹ The defendants filed a second motion on April 24, 2025 reiterating their request. **ECF No. 187**. That motion is **MOOT** in light of this Order.

joint replies in support of their *jointly-filed* motions at **ECF Nos. 31, 34, and 35**. Both types of motions were opposed by the Municipality of San Juan (“plaintiff”) in three omnibus oppositions at **ECF Nos. 63, 72, and 73**. Those oppositions will remain on the record. Accordingly, the Domestic Defendants may file three joint replies in response to each of plaintiff’s three omnibus oppositions, incorporating in separate sections whatever arguments they feel may have to be presented individually. In light of this directive, the Court may allow the three replies to exceed page limits to a reasonable extent (but not much more than that already proposed in the motion, **ECF No. 179** at 2, ¶ 4) if leave is requested.

**“Foreign Defendants”:
BHP Grp. Ltd. PLC, BP PLC, Rio Tinto PLC, Shell PLC**

Foreign Defendants are **DENIED** leave to jointly file with the Domestic Defendants the replies allowed above. Pursuant to the Court’s Order at **ECF No. 163**, plaintiff filed separate oppositions to the motions to dismiss at **ECF Nos. 119, 120, 121, 122 and 123** filed by BP PLC, BHP Grp. Ltd. and Shell PLC. *See ECF Nos. 180, 181, 182, 183, and 184*. Plaintiff has already responded separately to Rio Tinto PLC’s motions to dismiss at **ECF Nos. 148 and 149**. *See ECF Nos. 153 and 154*. Therefore, the replies to these oppositions will, likewise, be filed separately.²

The Court has decided to, procedurally, treat the briefing related to the Domestic Defendants’ earlier-filed motions differently from that of the later-filed Foreign Defendants’ motions. The Court wishes to have a complete record for each motion so that nothing slips

² Foreign Defendants may nonetheless make use of L. Civ. R. 7(f), as done at **ECF No. 119**, for example.

through the cracks, balancing the need for efficiency with that of completeness and giving due consideration to efforts already expended by the parties.

All Defendants:

As mentioned above, plaintiff's oppositions to the Domestic Defendants' motions will remain on the record. Accordingly, the renewed request to strike ECF No. 72 and 73 and have plaintiff re-file, that was included in the Motion (ECF No. 179 at 2-3, ¶ 7), is **DENIED**.

As to the request for extension of time to file the replies, the same is **GRANTED**. **All replies shall be due by May 12, 2025.**

SO ORDERED.

At San Juan, Puerto Rico, on this 28th day of April, 2025.

S/AIDA M. DELGADO-COLÓN
United States District Judge